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John A. Kitzhaber, M.D., Governor

Department of Environmental Quality

Northwest Region
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May 3, 2002

Mr. Forest Lane
Lakeside Industries
P.O. Box 7016
Issaquah, WA 98027

Re: Independent Cleanup Agreement
Lakeside Industries
4850 NW Front Avenue
Portland, OR

Dear Mr. Lane:

The Department of Environmental Quality (DEQ) received your Intent to Participate form for the Lakeside Industries property located at 4850 NW Front Avenue in Portland, Oregon. Please find enclosed two copies of DEQ's Cost Recovery Agreement for Independent Cleanup. The agreement covers review of the Final Report and preparation of a No Further Action determination, if appropriate. I understand you plan to submit your final report for the property to DEQ in early- to mid-May 2002. I further understand you do not wish DEQ to provide Site Specific Technical Consultation.

Only low and medium priority sites are eligible to complete work under the Independent Cleanup Pathway (ICP). All high priority sites must complete investigation and cleanup work under the Voluntary Cleanup Program (VCP) or Site Response (DEQ's "enforcement" program). DEQ prioritizes sites using our Site Assessment Prioritization System (SAPS). DEQ recently prioritized the Portland Lakeside Industries property as a medium priority for a Preliminary Assessment. Therefore, the site is eligible for the ICP.

Please sign both copies of the Cost Recovery Agreement and return one signed copy to me at DEQ along with the \$1,500.00 minimum deposit. As soon as we receive the signed copy and check, we will setup an account for the project. We will then submit a letter to you acknowledging receipt of the signed agreement and check. Our staff resources are currently limited, but it is our goal, if possible, to assign a Project Manager as soon as possible and no later than July 24, 2002 (90-days after you signed the Intent to Participate form). I will contact you as soon as we are able to assign a Project Manager.

I suggest that while you wait for DEQ to assign a Project Manager, you review DEQ's "Independent Cleanup Pathway Report Preparation Guide" dated March 26, 2001. The Report Preparation Guide will give you and your consultant a good idea of what DEQ will expect in the investigation and Final Report. The Report Preparation Guide can be found on DEQ's web page at <http://www.deq.state.or.us/wmc/cleanup/icp-main.htm> I also suggest you review DEQ's "Screenings

2002-05-03_Independent Cleanup
Agreement_ORDEQ_Letter to LSI

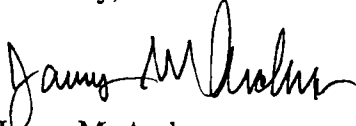
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and Preliminary Assessments In DEQ's Site Assessment Program" which can be found at the following web site <http://www.deq.state.or.us/wmc/cleanup/pascreen.htm>

Attached to this letter is DEQ's August 23, 201 Cleanup Process and Criteria Fact Sheet. The Fact Sheet describes procedures DEQ uses to review and approve cleanups.

Sincerely,



James M. Anderson
Cleanup & Portland Harbor

Enclosures: Independent Cleanup Cost Recovery Agreement
Cleanup Process and Criteria Fact Sheet



State of Oregon
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Environmental Cleanup
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Cleanup Process and Criteria

Background

This fact sheet describes procedures Oregon Department of Environmental Quality (DEQ) uses to review and approve cleanups of hazardous substances under Oregon Revised Statute (ORS) 465.200 et seq. and Oregon Administrative Rules (OAR) 340-122-0010 to 0140.

Cleanup procedures

Many historic releases of hazardous substances are satisfactorily cleaned up without DEQ review and approval of the cleanup action. Discharges to water or air from a site are regulated by DEQ's water quality and air quality divisions, and may need permits from those programs. Federal and state solid waste and hazardous waste laws also apply to cleanup sites.

Property owners often desire review and approval of their cleanup because DEQ issues "No Further Action" determinations for sites that satisfactorily address cleanup requirements. In cases where a past release of hazardous substances poses a significant threat to human health or the environment, DEQ will require cleanup.

Sites are cleaned up in a variety of ways. DEQ offers the following pathways for review and approval of cleanups conducted by property owners:

- The Independent Cleanup Pathway is designed for sites of low or medium environmental priority. A site owner can complete the investigation and cleanup independently, and request final approval from DEQ.
- The Voluntary Cleanup Pathway is available for sites of low, medium or high environmental priority and cooperative participants. DEQ provides oversight throughout the investigation and selects or approves the remedial action through a collaborative process.
- The Site Response Program addresses sites of medium or high environmental priority that may require enforcement actions. DEQ provides oversight throughout the investigation and cleanup, and selects the remedial action.

Fundamental standard for cleanup

All cleanups that are approved or selected by the DEQ must assure protection of public health, safety, welfare and the environment. If the site does not pose an unacceptable risk, as defined by ORS 465.315, remedial action is not required.

Criteria for remedy selection

Protection of public health, safety, welfare and the environment is the standard applicable to all cleanup sites, including Independent Cleanup Pathway sites. For Voluntary Cleanup and Site Response Sites where DEQ selects the remedy, two additional principles guide DEQ's decisions.

First, DEQ evaluates and selects a cleanup remedy based on the following criteria:

- Effectiveness
- Implementability
- Long-term reliability
- Implementation risk
- Reasonableness of cost

These criteria are used in the evaluation of cleanup options. Please refer to OAR 340-122-0090 and DEQ guidance documents for additional information.

Second, ORS 465.315 establishes preferences for the type of cleanup to be selected. For example, if current or reasonably likely future uses of water are impacted, the cleanup law establishes a preference for treatment. Similarly, if contamination in soil is a highly concentrated "hot spot", the cleanup law establishes a preference for treatment or removal. For contamination that is not a "hot spot" under the cleanup law, there is a preference for selecting the least expensive protective cleanup option.

Additional information

Additional cleanup program information can be found at: www.deq.state.or.us/wmc/cleanup. Or, please contact:

Bill Dana
Site Response Program Representative
503-229-6530
Dana.Bill@deq.state.or.us

Ann Levine
Voluntary Cleanup Program Representative
503-229-6258
Levine.Ann@deq.state.or.us

Last Updated: 8/23/01